

#30/SR  
9.2004

Application No.: 09/176,866  
 Filing Date: October 22, 1998  
 First Named Inventor: James V. Young  
 Group Art Unit: 3764  
 Examiner Name: Demille, Danton D.  
 Attorney Docket No.: PHYS 6996

### REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

#### 1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered)
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on
  - iii.  Other:
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other:

#### 2. MISCELLANEOUS

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b.  Other:

#### 3. FEES The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 162201.
  - i.  RCE fee required under 37 C.F.R. § 1.117(e)
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - iii.  Other:
- b.  A Check in the amount of \$ is enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

#### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT OF RECORD

Name (print/type) Nelson D. Nolte

Registration No. 42,938

Signature: 

Date: July 23, 2004

#### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. (703) 872 - 9306)) on July 23, 2004.

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Nelson D. Nolte

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